CRIMINAL COMPLAINT

United States District Court	DISTRICT of ARIZONA
United States of America v. **Rogelio Aboyte Limon** DOB: XX/XX/1971; Mexican citizen A# 077 393 373	DOCKET NO. **SEALED** MAGISTRATE'S CASE NO. 18-04771MJ

Complaint for violation of Title 18, United States Code § 1542

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about December 2, 2015, at or near Tucson, in the District of Arizona, the defendant, **Rogelio Aboyte Limon**, did willfully and knowingly make a false statement in an application for a passport with the intent to induce or secure the issuance of a passport under the authority of the United States for his own use contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws, in that while making an application for United States passport, the defendant swore under penalties of perjury that he had not previously used any other names, that he had not committed any of the acts listed under "acts or conditions," and that he was Jaime Fernando Bautista, a United States citizen, when he well knew these were all false statements. The passport was issued to him and he used it to gain entry into the United States on multiple occasions, including through ports of entry in Nogales, Arizona, on March 18, 2018, April 5, 2018, and May 8, 2018, all in violation of Title 18, United States Code, Section 1542.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

In 2004, **Rogelio Aboyte Limon** applied for a United States passport under the name Jaime Fernando Bautista, claiming to be a United States citizen. He submitted a photo of himself but used the identifying information of Jaime Fernando Bautista including the dates and place of birth for Jaime Fernando Bautista. He was issued the passport.

On December 2, 2015, he submitted an application to renew the 2004 passport. He listed the same personal identifying information for Jaime Fernando Bautista and again submitted a photo of himself, **Aboyte Limon**. On the passport renewal application, item 9 instructed him to list all other names he had used. He left the answer spaces for this item blank. Under penalty of perjury he signed that the statements on the application were true and correct and that he had not performed any of the acts listed under "acts or conditions" on the form. The prohibited acts included any federal or state drug offense. The passport renewal application was granted and the new passport was issued to his Tucson address. On multiple occasions, **Aboyte Limon** has used the passport to gain entry into the United States through ports of entry in Nogales, Arizona, including on March 18, 2018, April 5, 2018, and May 8, 2018.

Further investigation revealed that **Aboyte Limon** was born in Bacum, Mexico. He applied for a non-immigrant visa (NIV) using his true name and personal identifying information on four occasions. Those NIV applications were all denied, the most recent one in 2004. At the end of 2004, he applied for the U.S. passport in the Jaime Fernando Bautista identity. The photos in the NIV applications under the name **Aboyte Limon** are consistent with the appearance of the person in the passport application photos from 2004 and 2015 submitted under the name of Jaime Fernando Bautista. A recent campaign publicity flyer for the mayoral election in Bacum, Mexico, has a photo of **Aboyte Limon** with his true name. That photo is also consistent with the appearance of the person in the passport photos on the applications submitted under the identity Jaime Fernando Bautista.

Continued on reverse.

DETENTION REQUESTED COMPLAINT REVIEWED by AUSA Heather Siegele *Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.*	SIGNATURE OF COMPLAINANT OFFICIAL TITLE & NAME: Agent Mey Len Reynolds, Diplomatic Security Service
Sworn to before me and subscribed in my presence.	
SIGNATURE OF MAGISTRATE JUDGE[1]	**DATE** August 29, 2018

[1] See Federal rules of Criminal Procedure Rules 3 and 54

[illegible], PTS, AUSA

An A-file under the name of Raul Lopez-Montano shows **Aboyte Limon** has been deported twice, once in 1999 and once in 2000. The photographs from the deportation paperwork are consistent with the appearance of the photos of **Aboyte Limon** in his NIV applications and his U.S. passport applications under the Jaime Fernando Bautista identity. They are also consistent with a photograph from a Mexican voter ID card under his true name **Aboyte Limon,** which he submitted as part of a document in his first wife's A-file.

Aboyte Limon married his first wife in Mexico in 1992 under his true name, Aboyte Limon. In 2005 they divorced in Mexico. He then remarried his first wife under the Jaime Fernando Bautista identity the same year as the divorce. He proceeded to obtain immigrant visas for her and their children to come to the United States based on his use of the Jaime Fernando Bautista identity. **Aboyte Limon** married his second wife in the United States in 2012 under the Jaime Fernando Bautista identity. In 2017, he married the same woman in Mexico under his true name of **Aboyte Limon**.

In 2011, **Aboyte Limon** was convicted of Possession with Intent to Distribute 5 Kilograms or more of Cocaine in the Southern District of Indiana under the name Raul Lopez-Montano (his A-file alias) with a listed aka Jaime Fernando Bautista-Gutierrez (his U.S. passport identity alias). While in prison, he submitted a letter stating that he was in fact Jaime Fernando Bautista, a United States citizen. He attached his fraudulently obtained 2004 passport as one of the items supporting this claim. He was interviewed by ICE in 2013 regarding his claim and stated he had used the alias of Raul Lopez-Montano during the 2010 drug offense to prevent having a criminal record under the Jaime Fernando Bautista name. He did not include the Raul Lopez-Montano alias in the 2015 renewal application as a name he had previously used. He also did not list the drug conviction with an attached explanation as required under "acts or conditions" for any federal or state drug offense.